

ESTTA Tracking number: **ESTTA243537**

Filing date: **10/20/2008**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92046637
Party	Plaintiff Mattress Firm, Inc.
Correspondence Address	John F. Luman, III Bracewell & Giuliani LLP 711 Louisiana Street, Suite 2300 Houston, TX 77002-2770 UNITED STATES john.luman@bgllp.com
Submission	Appearance of Counsel/Power of Attorney
Filer's Name	Melissa LaBauve
Filer's e-mail	ipdocketing@haynesboone.com
Signature	/melissalabauve/
Date	10/20/2008
Attachments	Appearance of Counsel.pdf (2 pages)(45554 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Registration No. 3,088,627

MATTRESS FIRM, INC.,

Petitioner,

v.

LIVING SPACES FURNITURE, LLC

Registrant

§
§
§
§
§
§
§
§
§
§
§

Cancellation No. 92046637

APPEARANCE OF COUNSEL

Petitioner, Mattress Firm, Inc. hereby files this Appearance of Counsel for N. Alexander Nolte and Melissa S. LaBauve of Haynes and Boone, LLP, 1221 McKinney Street, Suite 2100, Houston, Texas 77010. Former Counsel, Bracewell and Giuliani is aware of this filing and has no objection. Undersigned Counsel has also requested a change of correspondence in addition to this Motion.

Respectfully submitted,

Date: October 20, 2008

/Melissa S. LaBauve/

N. Alexander Nolte
Melissa S. LaBauve
HAYNES AND BOONE, LLP
1221 McKinney Street
Houston, TX 77010
Telephone: 713-547-2156
Facsimile: 214-200-0853
ipdocketing@haynesboone.com

ATTORNEYS FOR PETITIONER

CERTIFICATE OF SERVICE

The undersigned hereby certified that a copy of the filed Appearance of Counsel was served on Registrant, through their attorney of record, Michael Frey *via Certified Mail*, postage prepaid, return receipt requested address to:

Michael G. Frey
Lori Krafte
GREENBAUM DOLL & MCDONALD PLLC
2800 Chemed Center
255 East Fifth Street
Cincinnati, Ohio 45202
Telephone: 513-455-7678

With courtesy copies to:

John F. Luman
BRACEWELL & GIULIANI LLP
711 Louisiana Street, Suite 2300
Houston, Texas 77002-2770

Date: October 20, 2008

/Melissa S. LaBauve/
N. Alexander Nolte
Melissa S. LaBauve
HAYNES AND BOONE, LLP
1221 McKinney Street
Houston, TX 77010
Telephone: 713-547-2156
Facsimile: 214-200-0853
ipdocketing@haynesboone.com